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Please reply to New Jersey

February 15, 2018

VIA ECOURTS FILING AND LAWYERS SERVICE

Hon. William J. Martini, U.S.D.J.
United States District Court - Newark
Martin Luther King Jr. Federal Building & U.S. Courthouse
50 Walnut Street, Courtroom MLK 4C
Newark, NJ 07101

RE: **CIOFFI, MICHAEL V. BOROUGH OF ENGLEWOOD CLIFFS, et al.**

Our File No. : 85341 ELH
Docket No. : 2:16-CV-04536-WJM-MF

Dear Judge Martini:

We represent Defendant Carrol McMorrow in this matter. On Friday, February 9, 2018, we filed a Motion to Dismiss Plaintiff's Second Amended Complaint against Carrol McMorrow pursuant to F.R.C.P. 12(b)(6) and 12(c). On February 13, 2018, the Borough of Englewood Cliffs and Defendants Nunzio Consalvo and Mark Park filed a Motion to Dismiss pursuant to F.R.C.P. 12(b)(6).

Defendant Carrol McMorrow joins in the arguments made by these Co-defendants related to legislative immunity at Point 3A of their brief. (ECF No. 48-1). As such, in addition to the arguments made in Defendant McMorrow's moving brief, legislative immunity lends further support for the dismissal of the conspiracy claim against Carrol McMorrow at Count XII based upon the Council's vote to create a "police director" position by amending an existing ordinance.

Respectfully submitted,
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